

STATE OF NEW YORK

7485

2023-2024 Regular Sessions

IN SENATE

May 31, 2023

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, the executive law, the public service law, the labor law, the state finance law, the public health law, the public authorities law, and the public housing law, in relation to implementing several programs to improve indoor air quality, including establishing photo-catalytic air scavenging technology certification centers and a weatherization and energy efficiency training program, and establishing the office of workforce development and indoor air quality management training, minimum wage rates for indoor air quality workers, and an indoor air quality fund

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "sick
2 building syndrome and indoor air quality workforce training program
3 act".
4 § 2. Legislative intent and findings. The intent of this act is to
5 regulate and control "Sick Building Syndrome" by establishing policies
6 that improve indoor air quality in all buildings and facilities, includ-
7 ing public and private schools, government buildings, hospitals, and
8 residential buildings.
9 The act will establish an independent entity known as the indoor air
10 quality control board within NYSERDA, the department of public health,
11 the office of children and family services, and the empire state devel-
12 opment corporation which will oversee the implementation and enforcement
13 of policies and regulations related to sick building syndrome. This act
14 also seeks to generate professional employment opportunities within the
15 local communities through the creation of trained technicians certified
16 in maintaining and installing new air-quality control technology.
17 Nothing in this act is intended to limit the authority of any
18 district, government agency, office, or employers to enact and enforce

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 policies pertaining to indoor air quality in the workplace or to exempt
2 anyone from any requirement of federal law or pose any obstacle to the
3 federal enforcement of federal law.

4 § 3. Article 19 of the environmental conservation law is amended by
5 adding a new title 13 to read as follows:

6 TITLE 13

7 INDOOR AIR QUALITY AND HAZARDOUS AIR POLLUTANTS

8 Section 19-1301. Definitions.

9 19-1303. Photo-catalytic air scavenging technology certification
10 centers.

11 19-1305. Weatherization and energy efficiency training program.

12 19-1307. Indoor air quality index oversight committee.

13 19-1309. Rules and regulations.

14 § 19-1301. Definitions.

15 For the purposes of this title, the following terms shall have the
16 following meanings:

17 1. "Indoor air quality" means air quality within and around a covered
18 entity which affects the health and comfort of individuals within or
19 near such building.

20 2. "Hazardous air pollutants" means any substance listed as a
21 substance hazardous to the public health, safety or the environment in
22 regulations promulgated pursuant to article thirty-seven of this chapter
23 which may affect indoor air quality and shall include, but not be not
24 limited to lead, radon, asbestos, formaldehyde, volatile organic
25 compounds, dust, mold, dander, excess moisture, pesticides, substances
26 from fuel-burning combustion appliances, tobacco products, bacteria,
27 viruses and any substance known to cause health effects which exceeds a
28 specified level as designated by the commissioner.

29 3. "Health effects" means changes to a person's health and wellness
30 that occur immediately upon exposure to a hazardous air pollutant,
31 including, but not limited to, irritation of the eyes, nose, or throat,
32 headaches, dizziness and fatigue, and changes to a person's health and
33 wellness in the long-term due to being exposed to a hazardous air pollu-
34 tant, including, but not limited to, respiratory diseases, heart
35 disease, asthma and lung cancer.

36 § 19-1303. Photo-catalytic air scavenging technology certification
37 centers.

38 1. Within one year of the effective date of this title, the department
39 shall establish photo-catalytic air scavenging technology certification
40 centers. Such centers shall increase the number of well-trained indoor
41 air quality workers in order to mitigate the health effects of indoor
42 air pollution. The empire state development corporation and the office
43 of housing and community renewal on an individual basis provide feasi-
44 bility support for indoor air quality audits as a part of commercial and
45 residential development.

46 2. The photo-catalytic air scavenging technology certification centers
47 established under subdivision one of this section shall include, but not
48 be limited to:

49 (a) developing a curriculum that includes courses specifically focused
50 on photo-catalytic air scavenging technology, building science and
51 indoor air quality covering topics including, but not limited to, build-
52 ing systems and components, HVAC systems, indoor air quality, and energy
53 conservation.

54 (b) partnering with vocational schools, community colleges, and
55 universities to offer training programs for photo-catalytic air scaveng-
56 ing technology, building science and indoor air quality. Such insti-

1 tutions may provide the necessary facilities, equipment, and instructors
2 to deliver the training.

3 (c) providing on-the-job training opportunities for indoor air quality
4 workers to gain hands-on experience in building science and indoor air
5 quality including, but not limited to, internships, apprenticeships, and
6 job shadowing programs with experienced professionals.

7 (d) encouraging and supporting indoor air quality workers to pursue
8 certification and licensing in photo-catalytic air scavenging technolo-
9 gy, building science and indoor air quality through organizations such
10 as the American society of heating, refrigerating and air-conditioning
11 engineers or the indoor air quality association.

12 (e) encouraging and supporting continuing education opportunities for
13 photo-catalytic air scavenging technology, building science and indoor
14 air quality workers on the latest developments in photo-catalytic air
15 scavenging technology, building science and indoor air quality includ-
16 ing, but not limited to, workshops, seminars, and conferences.

17 (f) recognizing and rewarding indoor air quality workers who have
18 achieved certifications, licenses, and other industry credentials in
19 photo-catalytic air scavenging technology, building science and indoor
20 air quality through department developed incentive programs.

21 3. Monies from the indoor air quality fund, established by section
22 ninety-nine-qq of the state finance law, may be expended for the
23 purposes provided for in this section.

24 § 19-1305. Weatherization and energy efficiency training program.

25 1. Within one year of the effective date of this title, the department
26 shall establish a weatherization and energy efficiency training program.
27 Such program shall be established to mitigate the health effects of
28 indoor air pollution by increasing awareness of hazardous air pollutants
29 which cause poor indoor air quality and the health effects of poor
30 indoor air quality.

31 2. The weatherization and energy efficiency training program estab-
32 lished under subdivision one of this section shall include, but not be
33 limited to:

34 (a) establishing training opportunities for building owners, managers,
35 and residents on weatherization and energy efficiency to prevent hazard-
36 ous air pollutants from infiltrating and contributing to poor indoor air
37 quality.

38 (b) partnering with organizations, educational institutions and
39 experts in the field of building science and energy efficiency to
40 provide training programs including, but not limited to:

41 (i) weatherization and energy efficiency;

42 (ii) identifying and sealing air leaks;

43 (iii) insulation;

44 (iv) ventilation;

45 (v) HVAC system maintenance and upgrades; and

46 (vi) renewable energy solutions.

47 (c) providing on-the-job training opportunities for building owners,
48 managers and residents to gain hands-on experience in weatherization and
49 energy efficiency.

50 (d) establishing a certification program for building owners, managers
51 and residents who have completed a training program established under
52 this section to recognize their knowledge and skills in weatherization
53 and energy efficiency.

54 (e) recognizing and rewarding building owners, managers and residents
55 who have achieved certifications, licenses, and other industry creden-

1 tials in building science and energy efficiency through department
2 developed incentive programs.

3 (f) providing incentives for building owners, managers and residents
4 who exceed the weatherization and energy efficiency standards through
5 department developed incentive programs to ensure that building owners,
6 managers and residents have the necessary knowledge and skills to
7 prevent poor ozone and harmful air quality index from infiltrating and
8 contributing to poor indoor air quality.

9 (g) developing and implementing community outreach programs to educate
10 the public on indoor air quality, hazardous air pollutants, and health
11 effects risk reduction, as well as the availability of the training
12 programs established under this title.

13 3. Monies from the indoor air quality fund, established by section
14 ninety-nine-qq of the state finance law, may be expended for the
15 purposes provided for in this section.

16 § 19-1307. Indoor air quality index oversight committee.

17 1. Within one year of the effective date of this title, the department
18 shall establish an indoor air quality index oversight committee.

19 2. The indoor air quality index oversight committee established under
20 subdivision one of this section shall have the following functions,
21 powers and duties including, but not limited to:

22 (a) to ensure compliance with the provisions of this title.

23 (b) to monitor the progress of the training programs established under
24 this title.

25 (c) to provide incentives for building owners and managers who exceed
26 the weatherization and energy efficiency standards.

27 § 19-1309. Rules and regulations.

28 The commissioner shall promulgate rules and regulations in consulta-
29 tion with the commissioner of health to effectuate the requirements of
30 this title.

31 § 4. The executive law is amended by adding a new article 49-C to read
32 as follows:

33 ARTICLE 49-C

34 OFFICE OF WORKFORCE DEVELOPMENT AND INDOOR AIR QUALITY MANAGEMENT
35 TRAINING

36 Section 996. Definitions.

37 996-a. Office of workforce development and indoor air quality
38 management training.

39 996-b. Community engagement and public oversight.

40 996-c. Utilization of other agency assistance.

41 996-d. Reports.

42 § 996. Definitions. As used in this article, the following terms shall
43 have the following meanings:

44 1. "Office" shall mean the office of workforce development and indoor
45 air quality management training established by this article.

46 2. "State agency" shall mean the state and any department, division,
47 board, bureau, commission, or agency of the state or any political
48 subdivision thereof.

49 § 996-a. Office of workforce development and indoor air quality
50 management training. 1. There is hereby created within the executive
51 department the office of workforce development and indoor air quality
52 management training consisting of a director which shall be appointed by
53 the governor and such other personnel as necessary.

54 2. The office shall:

1 (a) be responsible for providing training and resources to individuals
2 and businesses in the areas of workforce development and indoor air
3 quality management.

4 (b) work in conjunction with the department of education, the depart-
5 ment of labor, and the office of strategic workforce development to
6 identify workforce needs and develop training programs that meet such
7 needs.

8 (c) work in conjunction with the New York state energy research and
9 development authority to promote health through energy efficiency and
10 healthier buildings.

11 (d) work in consultation with the centers for disease control and
12 prevention to develop and implement training programs related to indoor
13 air quality management.

14 (e) work in conjunction with the New York independent system operator
15 to promote energy efficiency and indoor air quality management.

16 (f) have the authority to procure contracts. Contracts procured by the
17 office shall be exempt from the requirements of section one hundred
18 three of the general municipal law.

19 § 996-b. Community engagement and public oversight. The office shall
20 maintain a website where a member of the public can leave a public
21 comment on the office's activities related to workforce development and
22 indoor air quality. The office shall also conduct hearings at least
23 twice a year where the public can comment on the office's progress
24 toward its goals. One such hearing shall occur in a city with a popu-
25 lation of one million or more and another such hearing shall not occur
26 in a city with a population of less than one million.

27 § 996-c. Utilization of other agency assistance. All state agencies
28 are hereby authorized and directed to provide assistance and available
29 resources, as requested by the office, in order to effectuate the
30 purposes of this article related to workforce development and indoor air
31 quality.

32 § 996-d. Reports. The office shall report on its progress, accomplish-
33 ments, findings, conclusions, recommendations, and activities related to
34 workforce development and indoor air quality to the governor and to the
35 legislature annually on or before the thirty-first day of March of each
36 year.

37 § 5. The public service law is amended by adding a new section 28 to
38 read as follows:

39 § 28. Indoor air quality and continuous infectious microbial reduction
40 certification training and procurement program. 1. The commission shall
41 establish an indoor air quality and continuous infectious microbial
42 reduction certification training and procurement program for local resi-
43 dents to provide indoor air quality and continuous infectious microbial
44 reduction certification. Such program shall include certification under
45 the federal environmental protection agency and follow curriculum stand-
46 ards established by the centers for disease control and prevention and
47 the federal department of energy regarding weatherization and energy
48 efficiency. Such program shall include, but not be limited to:

49 (a) partnerships with local vocational schools, community colleges and
50 universities to provide training programs and apprenticeship and on-the-
51 job training opportunities for local residents on indoor air quality and
52 continuous infectious microbial reduction vocational skills and procure-
53 ment.

54 (b) partnerships with local vocational schools, community colleges,
55 and universities to provide training programs for renewable energy and

1 microgrid system design, installation, maintenance, and procurement for
2 local residents.

3 (c) apprenticeship and on-the-job training opportunities for local
4 residents to gain hands-on experience in indoor air quality and contin-
5 uous infectious microbial reduction vocational skills and procurement.

6 2. The commission shall create an oversight committee to ensure
7 compliance to this section and monitor the progress of the training and
8 procurement program established under this section. Such oversight
9 committee shall also provide incentives for building owners and managers
10 who exceed the local training and procurement goals.

11 3. The commission shall, in order to provide minority- and women-owned
12 business enterprises, minority group members and women the opportunity
13 for meaningful participation in the training and procurement program
14 established under this section, establish goals for participation in the
15 training and procurement program by and procurement under such program
16 from minority- and women-owned business enterprises, minority group
17 members and women. For the purposes of this subdivision, "minority-owned
18 business enterprise" shall mean any business enterprise which is at
19 least fifty-one per centum owned by, or in the case of a publicly owned
20 business, at least fifty-one per centum of the stock of which is owned
21 by citizens or permanent resident noncitizens who are Black, Hispanic,
22 Asian or American Indian, and such ownership interest is real, substan-
23 tial and continuing and "women-owned business enterprise" shall mean any
24 business enterprise which is at least fifty-one per centum owned by, or
25 in the case of a publicly owned business, at least fifty-one percent of
26 the stock of which is owned by citizens or permanent resident nonciti-
27 zens who are women and such ownership interest is real, substantial and
28 continuing.

29 4. Monies from the indoor air quality fund, established by section
30 ninety-nine-qq of the state finance law, may be expended for the
31 purposes provided for in this section, and shall include, but not be
32 limited to, training and procurement programs for veterans, formerly
33 incarcerated individuals, persons who recently received a high school
34 diploma, single parents enrolled in the supplemental nutrition assist-
35 ance program and/or receive cash benefits from a temporary assistance
36 program under the federal temporary assistance for needy families.

37 5. The commission shall, no later than December thirty-first, two
38 thousand twenty-three, report to the governor, the temporary president
39 of the senate, and the speaker of the assembly on the progress of the
40 training and procurement program established under this section. Such
41 report shall include, but not be limited to:

42 (a) the number of local residents who have received training in renew-
43 able energy and indoor air quality vocational skills and procurement;

44 (b) the number of local residents who have received apprenticeship and
45 on-the-job training opportunities in renewable energy and indoor air
46 quality vocational skills and procurement;

47 (c) the number of renewable energy and microgrid systems that have
48 been designed, installed, maintained and procured by local residents;

49 (d) the number of building owners and managers who have met or
50 exceeded the local training and procurement goals;

51 (e) the number of minority- and women-owned business enterprises,
52 minority group members and women who have participated in the training
53 and procurement program; and

54 (f) the amount of monies expended from the indoor air quality fund for
55 the purposes provided for in this section.

1 6. This section shall not preempt or supersede any law, rule or regula-
 2 tion relating to air quality or indoor air quality, including, but not
 3 limited to, the state energy law, the labor law or the public health
 4 law.

5 § 6. The labor law is amended by adding a new article 19-e to read as
 6 follows:

7 ARTICLE 19-E

8 MINIMUM WAGE RATES FOR INDOOR AIR QUALITY WORKERS

9 Section 697-a. Definitions.

10 697-b. Certification to the commissioner.

11 697-c. Minimum wage rate for indoor air quality workers.

12 697-d. Employment requirements for indoor air quality workers.

13 697-e. Commissioner's powers of investigation.

14 697-f. Records of employers.

15 697-g. Penalties.

16 697-h. Civil action.

17 697-i. Regulations.

18 697-j. Severability clause.

19 § 697-a. Definitions. As used in this article, the following terms
 20 shall have the following meanings:

21 1. "Covered indoor air quality workers" means any person employed
 22 where at least one-half of the employee's time during any workweek is
 23 working in the following categories:

24 (a) mitigation of the health effects of indoor air pollution through
 25 improving HVAC systems, building systems and components, and energy
 26 conservation; and

27 (b) weatherization and energy efficiency to prevent hazardous air
 28 pollutants from infiltrating and contributing to poor indoor air quali-
 29 ty.

30 2. "Livable wage" means a wage that is sufficient for a worker to
 31 afford basic necessities, including but not limited to housing, food,
 32 transportation, healthcare, and child care in the local area. This shall
 33 be determined by the department and reviewed annually.

34 3. "Local area" means the geographic area around a location which is
 35 part of the same labor market area and is within a reasonable distance
 36 for a person to travel to such location from their residence for employ-
 37 ment.

38 § 697-b. Certification to the commissioner. 1. No later than March
 39 thirty-first, two thousand twenty-four, and on March thirty-first of
 40 each year thereafter, each employer of a covered indoor air quality
 41 worker shall submit to the commissioner a sworn statement certifying the
 42 total number of such workers employed by such employer.

43 2. Each employer of an indoor air quality worker shall submit to the
 44 commissioner, in a form and manner prescribed by the commissioner, a
 45 sworn statement affirming that such employer will ensure, where applica-
 46 ble, that the indoor air quality workers it employs are paid at least
 47 the minimum wage required by section six hundred ninety-seven-c of this
 48 article.

49 3. Each employer of an indoor air quality worker shall submit to the
 50 commissioner, in a form and manner prescribed by the commissioner, a
 51 sworn statement affirming that such employer will ensure, where applica-
 52 ble, that the indoor air quality workers it employs are from the local
 53 area where work is being performed as required by section six hundred
 54 ninety-seven-d of this article.

55 § 697-c. Minimum wage rate for indoor air quality workers. All covered
 56 employers shall ensure that every covered indoor air quality worker is

1 compensated at a rate that is no less than the livable wage. Nothing in
2 this article shall alter or limit any employer's obligation to pay any
3 otherwise applicable wage under article eight or nine of this chapter.

4 § 697-d. Employment requirements for indoor air quality workers. At
5 least fifty percent of covered indoor air quality workers employed by an
6 employer shall reside within the local area of where the work is being
7 performed.

8 § 697-e. Commissioner's powers of investigation. The commissioner or
9 his or her authorized representative shall have the power to:

10 1. investigate the compensation of covered indoor air quality workers
11 in the state;

12 2. enter the place of business or employment of any employer for the
13 purpose of:

14 (a) examining and inspecting any and all books, registers, payrolls,
15 and other records that in any way relate to or have a bearing upon the
16 compensation provided to, or the hours worked by any employees; and

17 (b) ascertaining whether the provisions of this article and the rules
18 and regulations promulgated hereunder are being complied with; and

19 3. require from any employer full and correct statements and reports
20 in writing, at such times as the commissioner may deem necessary, of the
21 compensation provided to and the hours worked by such employer's employ-
22 ees.

23 § 697-f. Records of employers. For every employee covered by this
24 article, every employer shall establish, maintain, and preserve for not
25 less than six years contemporaneous, true, and accurate payroll records
26 showing for each week worked the hours worked, the compensation
27 provided, plus such other information as the commissioner deems material
28 and necessary. For all covered indoor air quality workers who are not
29 exempt from overtime compensation as established in the commissioner's
30 minimum wage orders or otherwise provided by law, rule, or regulation,
31 the payroll records shall include the compensation provided and the
32 regular hourly rate or rates of pay, the overtime rate or rates of pay,
33 the number of regular hours worked, the number of overtime hours worked
34 and the cost of benefits and/or benefit supplements. On demand, the
35 employer shall furnish to the commissioner or his or her duly authorized
36 representative a sworn statement of the hours worked, and rate or rates
37 of compensation, for each covered indoor air quality worker, plus such
38 other information as the commissioner deems material and necessary.
39 Every employer shall keep such records open to inspection by the commis-
40 sioner or his or her duly authorized representative at any reasonable
41 time. Every employer of a covered indoor air quality worker shall keep
42 a digest and summary of this article, which shall be prepared by the
43 commissioner, posted in a conspicuous place in his or her establishment
44 and shall also keep posted such additional copies of said digest and
45 summary as the commissioner prescribes. Employers shall, on request, be
46 furnished with copies of this article and of orders, and of digests and
47 summaries thereof, without charge. Employers shall permit the commis-
48 sioner or his or her duly authorized representative to question without
49 interference any employee of such employer in a private location at the
50 place of employment and during working hours in respect to the wages
51 paid to and the hours worked by such employee or other employees.

52 § 697-g. Penalties. 1. If the commissioner finds that any employer has
53 violated any provision of this article or of a rule or regulation
54 promulgated thereunder, the commissioner may, after an opportunity for a
55 hearing, and by an order which shall describe particularly the nature of
56 the violation, assess the employer a civil penalty of not more than ten

1 thousand dollars for the first such violation within six years, not more
2 than twenty thousand dollars for a second violation within six years and
3 not more than fifty thousand dollars for a third or subsequent violation
4 within six years. Such penalty shall be paid to the commissioner for
5 deposit in the treasury of the state. In assessing the amount of the
6 penalty, the commissioner shall give due consideration to the size of
7 the employer's business, the good faith of the employer, the gravity of
8 the violation, the history of previous violations and the failure to
9 comply with recordkeeping or other requirements.

10 2. Any order issued under subdivision one of this section shall be
11 deemed a final order of the commissioner and not subject to review by
12 any court or agency unless the employer files a petition with the indus-
13 trial board of appeals for a review of the order, pursuant to section
14 one hundred one of this chapter.

15 3. The civil penalty provided for in this section shall be in addition
16 to and may be imposed concurrently with any other remedy or penalty
17 provided for in this chapter.

18 4. Upon a showing by an employee organization, the commissioner may
19 investigate by examining payroll records whether an employer withheld
20 hours of work to employees for the purpose of reducing the employer's
21 obligations under this article. If, after the opportunity for a hearing,
22 the commissioner determines that an employer withheld hours of work to
23 employees for the purpose of reducing the employer's obligations under
24 this article, the commissioner may, in addition to any other penalty
25 available, also require that the employer pay the standard benefits
26 supplement rate to all of the employer's employees, regardless of the
27 number of hours worked by the employees.

28 § 697-h. Civil action. 1. On behalf of any employee paid less than the
29 rate to which the employee is entitled under the provisions of this
30 article, the commissioner may bring any legal action necessary, includ-
31 ing administrative action, to collect such claim, and the employer shall
32 be required to pay the full amount of the underpayment, plus costs, and
33 unless the employer proves a good faith basis to believe that its under-
34 payment was in compliance with the law, an additional amount as liqui-
35 dated damages. Liquidated damages shall be calculated by the commission-
36 er as no more than one hundred percent of the total amount of
37 underpayments found to be due the employee. In any action brought by the
38 commissioner in a court of competent jurisdiction, liquidated damages
39 shall be calculated as an amount equal to one hundred percent of under-
40 payments found to be due the employee.

41 2. Notwithstanding any other provision of law, an action to recover
42 upon a liability imposed by this article shall be commenced within six
43 years. The statute of limitations shall be tolled from the date an
44 employee files a complaint with the commissioner or the commissioner
45 commences an investigation, whichever is earlier, until an order to
46 comply issued by the commissioner becomes final, or where the commis-
47 sioner does not issue an order, until the date on which the commissioner
48 notifies the complainant that the investigation has concluded.

49 3. In any civil action by the commissioner, the commissioner shall
50 have the right to collect attorneys' fees and costs incurred in enforc-
51 ing any court judgment. Any judgment or court order awarding remedies
52 under this section shall provide that if any amounts remain unpaid upon
53 the expiration of ninety days following issuance of judgment, or ninety
54 days after expiration of the time to appeal and no appeal therefrom is
55 then pending, whichever is later, the total amount of judgment shall
56 automatically increase by fifteen percent.

1 § 697-i. Regulations. The commissioner may promulgate such regulations
2 as he or she deems appropriate to carry out the purposes of this article
3 and to safeguard minimum compensation standards.

4 § 697-j. Severability clause. If any provision of this article, or any
5 application of any provision of this article, is held to be invalid,
6 that shall not affect the validity or effectiveness of any other
7 provision of this article, or of any other application of any provision
8 of this article, which can be given effect without that provision or
9 application; and to that end, the provisions and applications of this
10 article are severable.

11 § 7. The state finance law is amended by adding a new section 99-qq to
12 read as follows:

13 § 99-qq. Indoor air quality fund. 1. There is hereby established in
14 the joint custody of the comptroller, the commissioner of health, the
15 president of the New York state energy research and development authori-
16 ty, and the commissioner of housing and community renewal a fund to be
17 known as the indoor air quality fund.

18 2. Such fund shall consist of:

19 (a) all monetary grants received by the state under paragraph (z) of
20 subdivision one of section two hundred one of the public health law,
21 subdivision twenty-four of section eighteen hundred fifty-four of the
22 public authorities law, and paragraph (q) of subdivision one of section
23 fourteen of the public housing law;

24 (b) all monetary funding received by the state through coordination
25 with local government, private sector, and non-profit organizations
26 under paragraph (z) of subdivision one of section two hundred one of the
27 public health law, subdivision twenty-four of section eighteen hundred
28 fifty-four of the public authorities law, and paragraph (q) of subdivi-
29 sion one of section fourteen of the public housing law;

30 (c) all monetary gifts or bequests received by the state for the fund;
31 and

32 (d) all monies appropriated, credited, or transferred thereto from any
33 other fund or source pursuant to law.

34 3. Moneys of the fund shall be expended solely for the purposes of
35 carrying out the provisions of title thirteen of article nineteen of the
36 environmental conservation law and section twenty-eight of the public
37 service law. Monies shall be paid out of the fund on the audit and
38 warrant of the state comptroller on vouchers approved by the commission-
39 er of health, the president of the New York state energy research and
40 development authority, and the commissioner of housing and community
41 renewal. Any interest received by the comptroller on monies on deposit
42 in the indoor air quality fund shall be retained in and become part of
43 such fund.

44 4. On or before the first day of April each year, the commissioner of
45 health, the president of the New York state energy research and develop-
46 ment authority, and the commissioner of housing and community renewal
47 shall submit a report to the governor, the temporary president of the
48 senate and the speaker of the assembly outlining the funding sources and
49 amounts secured for the fund and the expenses incurred by the fund.
50 Such report shall also contain a plan outlining the strategies and
51 actions to be taken to secure the necessary funding for the long-term
52 sustainability of the fund.

53 5. The state shall make necessary appropriations to ensure the contin-
54 uation of the fund.

55 § 8. Subdivision 1 of section 201 of the public health law is amended
56 by adding a new paragraph (z) to read as follows:

1 (z) identify and apply for federal grants and funding opportunities
2 related to indoor air quality in regard to public health and coordinate
3 with local government, private sector, and non-profit organizations to
4 explore additional funding opportunities related to indoor air quality
5 in regard to public health. All such grants, funding, and other monies
6 received by the state due to actions taken by the department under this
7 paragraph shall be deposited into the indoor air quality fund estab-
8 lished by section ninety-nine-qq of the state finance law.

9 § 9. Section 1854 of the public authorities law is amended by adding a
10 new subdivision 24 to read as follows:

11 24. To identify and apply for federal grants and funding opportunities
12 related to microgrids, energy efficiency and weatherization, and indoor
13 air quality in regard to renewable energy and energy conservation and to
14 coordinate with local government, private sector, and non-profit organ-
15 izations to explore additional funding opportunities related to micro-
16 grids, energy efficiency and weatherization, and indoor air quality in
17 regard to renewable energy and energy conservation. All such grants,
18 funding, and other monies received by the state due to actions taken by
19 the authority under this subdivision shall be deposited into the indoor
20 air quality fund established by section ninety-nine-qq of the state
21 finance law.

22 § 10. Subdivision 1 of section 14 of the public housing law is amended
23 by adding a new subdivision (q) to read as follows:

24 (q) identify and apply for federal grants and funding opportunities
25 related to indoor air quality in regard to affordable housing and commu-
26 nity development and coordinate with local government, private sector,
27 and non-profit organizations to explore additional funding opportunities
28 related to indoor air quality in regard to affordable housing and commu-
29 nity development. All such grants, funding, and other monies received by
30 the state due to actions taken by the commissioner under this subdivi-
31 sion shall be deposited into the indoor air quality fund established by
32 section ninety-nine-qq of the state finance law.

33 § 11. This act shall take effect immediately. Effective immediately,
34 the addition, amendment and/or repeal of any rule or regulation neces-
35 sary for the implementation of this act on its effective date are
36 authorized to be made and completed on or before such effective date.